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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/892,228	06/25/2001	Jeffrey H. Alger	5486-0169PUS1	3296	
67321 BIRCH, STEW	7590 ART, KOLASCH & BIR	EXAMINER			
8110 GATEHOUSE ROAD SUITE 100 EAST FALLS CHURCH, VA 22040-0747			CHEA, PHILIP J		
			· ART UNIT	PAPER NUMBER	
			2153		
		,	MAIL DATE	DELIVERY MODE	
			09/12/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
09/892,228	ALGER EŢ AL.		
Examiner	Art Unit		
Philip J. Chea	2153		

·	Philip J. Chea	2153	
The MAILING DATE of this communication appear	ars on the cover sheet with the	correspondence add	ress
THE REPLY FILED <u>30 August 2007</u> FAILS TO PLACE THIS AF	PLICATION IN CONDITION FOR	ALLOWANCE.	
1.  The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	ving replies: (1) an amendment, at tice of Appeal (with appeal fee) in	ffidavit, or other evider compliance with 37 C	ice, which FR 41.31; or (3)
a) The period for reply expires 3 months from the mailing date	of the final rejection.		
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire to Examiner Note: If box 1 is checked, check either box (a) or (TWO MONTHS OF THE FINAL REJECTION. See MPEP 76	ater than SIX MONTHS from the mailir b). ONLY CHECK BOX (b) WHEN TH 06.07(f).	ng date of the final rejecti E FIRST REPLY WAS F	on. ILED WITHIN
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply orig than three months after the mailing d	t of the fee. The appropr ginally set in the final Offi	ate extension fee ce action; or (2) as
<ol> <li>The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed</li> </ol>	nsion thereof (37 CFR 41.37(e)), t	o avoid dismissal of th	ns of the date of e appeal. Since
AMENDMENTS	li karitan ka kharalaka af Ciban a badas	£	
3.  The proposed amendment(s) filed after a final rejection, leading to the proposed amendment (s) filed after a final rejection, leading to the proposed amendment (s) filed after a final rejection, leading to the proposed amendment (s) filed after a filed to the proposed amendment (s) filed after a filed to the proposed amendment (s) filed after a filed to the proposed amendment (s) filed after a final rejection, leading to the proposed amendment (s) filed after a final rejection, leading to the proposed amendment (s) filed after a final rejection, leading to the proposed amendment (s) filed after a final rejection, leading to the proposed amendment (s) filed after a final rejection, leading to the proposed amendment (s) filed after a final rejection, leading to the proposed amendment (s) filed after a final rejection, leading to the proposed amendment (s) filed after a final rejection, leading to the proposed amendment (s) filed after a final rejection, leading to the proposed amendment (s) filed after a final rejection (s) filed after a filed a	nsideration and/or search (see NC w);	OTE below);	
appeal; and/or (d) They present additional claims without canceling a	corresponding number of finally re	jected claims.	
NOTE: (See 37 CFR 1.116 and 41.33(a)).  4. The amendments are not in compliance with 37 CFR 1.11	21. See attached Notice of Non C	omnliant Amendment	(PTOL-324)
<ul><li>5. Applicant's reply has overcome the following rejection(s)</li></ul>		omphant Amendment	(1 10L-02+).
Newly proposed or amended claim(s)would be al non-allowable claim(s).		, timely filed amendme	ent canceling the
7.  For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is profit The status of the claim(s) is (or will be) as follows:	⊠ will not be entered, or b) □ w vided below or appended.	rill be entered and an e	explanation of
Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 6-8,10-14 and 25-33. Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE			
<ol> <li>The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).</li> </ol>	d sufficient reasons why the affida	vit or other evidence is	s necessary and
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to of showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under apper y and was not earlier presented.	eal and/or appellant fa See 37 CFR 41.33(d)(	ils to provide a 1).
10. ☐ The affidavit or other evidence is entered. An explanatio REQUEST FOR RECONSIDERATION/OTHER			•
<ol> <li>The request for reconsideration has been considered but See Continuation Sheet.</li> </ol>		in condition for allowa	nce because: <b>7</b>
<ul><li>12. ☐ Note the attached Information Disclosure Statement(s).</li><li>13. ☐ Other:</li></ul>	(PTO/SB/08) Paper No(s).	W/	
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	CLIDE	GLENTON B. BURGE	

**TECHNOLOGY CENTER 2100** 

Continuation of 11. does NOT place the application in condition for allowance because: New claims 34-45 and amendments to claims 6,25, have raised new issues that will require further search and consideration.